

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
GREENVILLE DIVISION**

**In re**

**CAH ACQUISITION COMPANY #1, LLC  
d/b/a WASHINGTON COUNTY HOSPITAL**

**Debtor.**

Case No. 19-00730-5-JNC

Chapter 11

**REPORT OF BALLOTS RECEIVED FOR ACCEPTING OR REJECTING  
AMENDED CHAPTER 11 PLAN OF ORDERLY LIQUIDATION**

Thomas W. Waldrep, Jr., the Chapter 11 trustee (the “Trustee”) for the above-captioned debtor (the “Debtor”), by and through the undersigned counsel, submits the following report of all ballots received in connection with the *Amended Chapter 11 Plan of Orderly Liquidation* (the “Plan”) [Dkt. No. 480] filed on October 17, 2019 received by December 2, 2019 (the “Voting Deadline”). A detailed list of the ballots received by counsel for the Trustee, including ballots that were defective or submitted improperly, is attached hereto as Exhibit A.

**CLASS 2: Secured Claims**

\$ Accept	\$ Reject	# Accept	# Reject
\$0.00	\$1,393,871.48 <sup>1</sup>	0	1

**CLASS 4: General Unsecured Claims<sup>2</sup>**

\$ Accept	\$ Reject	# Accept	# Reject
\$2,459,909.50	\$31,868.41	5	1

**CLASS 5: Convenience Claims**

\$ Accept	\$ Reject	# Accept	# Reject
\$0.00	\$0.00	0	0

**CLASS 6: Equity Interests**

\$ Accept	\$ Reject	# Accept	# Reject
\$0.00	\$0.00	0	0

<sup>1</sup> The only secured claimant that submitted a ballot was First Capital Corporation. Prior to confirmation, First Capital’s secured claim was paid in full through the sale of the Debtor’s assets, which closed on April 20, 2020.

<sup>2</sup> Ballots that abstained from voting to accept or reject the Plan or were submitted improperly were not included in the above tables. For example, numerous Class 4 ballots were received by creditors holding Class 1 priority wage claims, which are not impaired under the Plan and thus are not entitled to vote. Additionally, numerous individuals submitted ballots that neither held scheduled claims nor asserted proofs of claims in the Debtor’s case.

Copies of the Plan, the Disclosure Statement thereto, and the Ballots were served upon the entire creditor mailing matrix by United States First Class Mail on October 22, 2019. [Dkt. No. 497].

Each class of claims entitled to vote on the Plan has either (i) had the sole voting creditor paid in full prior to the hearing on confirmation of the Plan, and will therefore be unaffected by the operations of the Plan; (ii) voted to accept the Plan by at least two-thirds in dollar amount and a majority in number; or (iii) failed to submit any ballots altogether.

This the 21st day of September, 2020.

**WALDREP LLP**

/s/ Jennifer B. Lyday

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# **EXHIBIT A**

**Accepted Ballots:**

<b>Class</b>	<b>Creditor</b>	<b>\$ Accept</b>	<b>\$ Reject</b>	<b>Abstained</b>
1	First Capital Corporation	\$0.00	\$1,393,871.48	
4	Aetna Inc.	\$0.00	\$0.00	Yes
4	Cardinal Health 200, LLC	\$25,907.85 <sup>3</sup>	\$0.00	
4	Erx, LLC	\$2,073,024.00	\$0.00	
4	Evoqua	\$2,446.40	\$0.00	
4	Moneysworth Linen Services	\$4,064.90	\$0.00	
4	Rural Community Hospitals of America	\$354,466.35	\$0.00	
4	Washington County, North Carolina	\$0.00	\$31,868.41	

**Rejected or Defective Ballots<sup>4</sup>:**

<b>Class</b>	<b>Creditor</b>	<b>\$ Accept</b>	<b>\$ Reject</b>	<b>Reason for Rejection</b>
4	Deborah Swain	\$0.00	\$3,003.86	This creditor's ballot was submitted as a Class 4 ballot. This creditor holds, and has asserted, a Class 1 priority wage and/or benefits claim. Class 1 creditors are not entitled to vote under the Plan.
4	Evaline Davenport	\$0.00	\$11,291.09	This creditor's ballot was submitted as a Class 4 ballot. This creditor holds, and has asserted, a Class 1 priority wage and/or benefits claim. Class 1 creditors are not entitled to vote under the Plan.
4	Javoner Brown	\$190.00	\$0.00	This creditor's ballot was submitted as a Class 4 ballot. This creditor holds, and has asserted, a Class 1 priority wage and/or benefits claim. Class 1 creditors are not entitled to vote under the Plan.

<sup>3</sup> \$4,444.59 of the claim asserted by Cardinal Health 200, LLC is asserted as secured on Claim No. 62 on the CM/ECF Claims Register. However, the ballot submitted by Cardinal Health 200, LLC opted to vote the entire amount of Cardinal Health 200, LLC's claim as a Class 4 General Unsecured Claim.

<sup>4</sup> Even if the rejected and defective ballots are counted for the respective classes under which they were attempting to vote, more than two-thirds of the dollar amount in Class 4 (\$2,467,475.68 of \$2,606,423.27 total) and a majority of the ballots in Class 4 (eight of thirteen) voted to accept the Plan. All three Class 5 Convenience Claim ballots received voted to accept the Plan.

4	Linda Howlett	\$4,413.80	\$0.00	This creditor's ballot was submitted as a Class 4 ballot. This creditor holds, and has asserted, a Class 1 priority wage and/or benefits claim. Class 1 creditors are not entitled to vote under the Plan.
4	Melva Lilley	\$0.00	\$92,784.23	This creditor's ballot was submitted as a Class 4 ballot. This creditor holds, and has asserted, a Class 1 priority wage and/or benefits claim. Class 1 creditors are not entitled to vote under the Plan.
4	Vanessa Smith	\$2,962.38	\$0.00	This creditor's ballot was submitted as a Class 4 ballot. This creditor holds, and has asserted, a Class 1 priority wage and/or benefits claim. Class 1 creditors are not entitled to vote under the Plan.
5	Unknown	\$1,500.00	\$0.00	This ballot was received without a name or signature.
5	Pressley Phelps	\$1,500.00	\$0.00	This party submitted a ballot, but there was no claim scheduled for or asserted by this party.
5	Rachel G. Clemens	\$1,500.00	\$0.00	This party submitted a ballot, but there was no claim scheduled for or asserted by this party.